

Order of Protection and Injunction Guide Sheet - Please Read Carefully

- 1. ORDERS OF PROTECTION.** An Order of Protection is used for a "family" relationship between you and the Defendant. This can include a spouse, ex-spouse, past or present live-in, in-law, parent, grandparent, brother, sister, or the parent or parent-to-be of your child. Also, you must state how a crime was threatened or actually committed against you within the last year.
- 2. INJUNCTIONS AGAINST HARASSMENT.** For an Injunction, the Defendant is not a "family" member and has committed a series of acts (more than one) of harassment against you in the last year. Also, a "dating" relationship without living together could be a basis for an Injunction. **INJUNCTIONS IN THE WORKPLACE.** This Injunction may be filed by an employer or owner of a business or operation for the benefit of an employee or the business against a single act or series of acts of harassment.
- 3. OTHER PERSONS.** If other persons live with you or you have minor children you want on the Petition, be sure to state how they are at risk. Only a Superior Court Judicial Officer can decide child custody or parenting time in a separate action. It is possible that you will be referred to Superior Court if needed where children are involved. If your child is at risk by the Defendant, you may request to have the child listed on the Order.
- 4. ONE DEFENDANT.** You must list only ONE Defendant per application. For multiple defendants you will need to file separate petitions. The court may set a hearing prior to issuing the Injunction to better know the facts. This is especially likely in cases involving juvenile defendants or neighborhood issues.
- 5. CHANGING THE PAPERS.** Only a Judicial Officer can change or cancel an Order or Injunction. To modify an Order or Injunction, you need to come to court to file for an amendment. Once the Order or Injunction is served, if you change your mind about the need for it, please come back to court to have it canceled (dismissed). If you file an action for maternity, paternity, annulment, legal separation, or dissolution against the Defendant, advise this court at once.
- 6. LAW ENFORCEMENT STANDBY.** If you need to get personal belongings from the Defendant, or if Defendant needs to get personal items from you, ask the court about a "standby." Neither the court nor law enforcement can decide property or title questions about furniture, finances, real estate, etc. For these matters, you may need to file a separate action.
- 7. SERVICE AND EFFECT.** An Order or Injunction is valid for one year, nationwide, from the date it is personally served on the Defendant. There is no cost or charge to serve an Order of Protection or Injunction Against Harassment involving a "dating" relationship. There is a cost to serve a regular Injunction or Workplace Injunction. The court will instruct you on how service can be made. The cost to serve Injunctions varies depending on mileage and attempts. If you cannot afford to hire a process server, ask the court about a "deferral" or "waiver."
- 8. FIREARMS.** If you are worried about firearms, there is a box to check on the petition asking the court to prohibit the Defendant from possessing or purchasing firearms or ammunition while the Order/Injunction is in effect.
- 9. COUNSELING.** If requested, counseling for the Defendant can be ordered only at a hearing at which you and the Defendant must appear.
- 10. OTHER.** If additional space is needed to provide complete information in the Petition, you may continue on additional paper. As a reminder, the information that you provide in your case may be entered into the state computer system or made public on the internet. **A copy of your Petition and Order is given to the Defendant and may be used in future judicial proceedings. The Defendant is entitled to request a hearing at which the Plaintiff must appear.**

Make sure you PRINT all your information on this form and your actual Petition:

Your Name
(____)

Your Address and Any Apt. Number

Your Day Time Telephone

City, State, ZIP

IMPORTANT, Check below to keep your address off of the papers that are served on the Defendant. Defendant does NOT know where I [] live [] work. Do NOT show my address to Defendant. If checked, please do not write these addresses on the Petition.

Defendant's Name

Defendant's Address and Any Apt. Number

Defendant's Description

| Sex | Race | Birth Date | Height | Weight | Eyes | Hair | Soc. Sec. No. |
|-----|------|------------|--------|--------|------|------|---------------|
|-----|------|------------|--------|--------|------|------|---------------|

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|--|--|---|
| <div>Plaintiff (Work. Injunction.- Plaintiff Employer)</div> <div>Date of Birth</div> <div>Work. Injunction.- Agent's Name</div> | <div>Defendant</div> <div>Address</div> <div>City, State, Zip</div> <div>Area Code, Phone Number</div> | <div>Case No.</div> <div> PETITION for <input type="checkbox"/> Order of Protection <input type="checkbox"/> Injunction Against Harassment <input type="checkbox"/> Workplace Injunction </div> <div>NCIC # <u>AZ007121J</u> Ct. #<u>0753</u></div> |
|--|--|---|

1. Defendant relationship: ☐ Spouse ☐ Ex-spouse ☐ Lived together (now or before) ☐ Parent of child in common
☐ Dating (never lived together) ☐ One of us pregnant by the other ☐ Parent ☐ Other: _____
2. ☐ If checked, there is a pending action involving maternity, paternity, annulment, legal separation, dissolution, custody, parenting time or support in _____ Superior Court. Case #: _____
3. Have you or the Defendant been charged or arrested for domestic violence OR requested a Protective Order?
☐ Yes ☐ No ☐ Not sure - If yes or not sure, explain: _____
4. I need a court order because: (PRINT both the date(s) and briefly what happened): _____

| Date(s) | Describe what happened |
|---------|------------------------|
| | |
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| | |

5. The following persons should also be on this Order. As stated in number 4, the defendant is a danger to them:

_____ (/ /) _____ (/ /)
Birth Date Birth Date

_____ (/ /) _____ (/ /)
Birth Date Birth Date

6. Defendant should be ordered to stay away from these locations, at all times, even when I am not present:

[] Home _____

[] Work _____

[] School / Others _____

7. ☐ If checked, because of risk of harm, order the Defendant NOT to possess firearms or ammunition.
8. ☐ If checked, request an order for the Defendant to participate in domestic violence or other counseling.

9. Other requests: _____

Under penalty of perjury, I swear the above statements are true to the best of my knowledge, and I request an Order / Injunction granting relief as allowed by law.

Petitioner

Attest: _____
Judicial Officer/ Clerk / Notary

_____/_____/_____
Date

**TEMPE MUNICIPAL COURT
COUNTY OF MARICOPA, STATE OF AIRZONA**

| |
|-----------|
| Plaintiff |
| Vs. |
| Defendant |

COURT NO. 0753

CASE NO. _____

PROCESS SERVICE
INFORMATION

WARNING

This information will be used by the agency that you have selected to serve your court documents. Be as accurate and complete as possible when filling out this form so that proper and timely service of your documents can be made. If you fail to supply sufficient and accurate information, your documents may not get served. YOUR INFORMATION WILL NOT BE GIVEN TO THE DEFENDANT IN THIS MATTER.

REQUIRED PLAINTIFF INFORMATION (You)

Name: _____ Date of Birth _____ Home Phone No: _____
Home Address: _____ City: _____ State: _____ Zip: _____
Employer's Name: _____ Work Phone Number: _____ Work Hours: _____

REQUIRED DEFENDANT INFORMATION (Person you want served)

Is the Defendant Spanish Speaking Only? Yes No
Is the Defendant Currently Living With You? Yes No
Name: _____ Race: _____ Sex: _____ Date of Birth: _____
Home Address: _____ City: _____ State: _____ Zip: _____
Apartment Name: _____ Apt. No: _____ Company/Work Name: _____
Work Address: _____ City: _____ State: _____ Zip: _____
Work Phone No: _____ Work Hours: _____ Normal Days Off: _____
Does he/she work in one location? Yes No If No, Where? _____
Type of Work: _____ Specific Location at Work: _____

*LIST FRIENDS OR RELATIVES THAT THE DEFENDANT MAY CURRENTLY BE STAYING WITH OR
WOULD KNOW HIS/HER CURRENT WHEREABOUTS:*

| Name of Friend/Relative | Address | Phone No. | Relationship to Defendant |
|-------------------------|---------|-----------|---------------------------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

What kind of vehicle does the defendant normally drive? Make: _____ License No.: _____
State: _____ Year of Vehicle: _____ Style: _____ Color: _____ Other: _____

Is the Defendant: Violent toward police A drug user A heavy drinker
Does the Defendant: Carry a gun/knife Other: _____

Other
Information: _____

